

**UNITED STATES INTERNATIONAL TRADE COMMISSION**

**Washington, D.C.**

**In the Matter of**

**CERTAIN SMART CEILING FANS,  
COMPONENTS THEREOF, AND  
ASSOCIATED SYSTEMS AND SOFTWARE  
THEREOF**

**Inv. No. 337-TA-1374**

**ORDER NO. 23: INITIAL DETERMINATION GRANTING COMPLAINANT’S  
UNOPPOSED MOTION TO SUSPEND THE PROCEDURAL  
SCHEDULE AND TO TERMINATE THE INVESTIGATION IN  
ITS ENTIRETY**

(August 14, 2024)

On July 3, 2024, complainant Wangs Alliance Corporation d/b/a WAC Lighting (“WAC”) moved (1374-028) to terminate the investigation based on a withdrawal of the Complaint under 19 C.F.R. § 210.21(a), and to also suspend the procedural schedule pending Commission review. The motion represents, “[c]ounsel for Respondents do not oppose the motion to terminate or the motion to suspend the investigation, and further represent that they withdraw their pending motion for sanctions.” Mot. at 1.

Commission Rule 210.21(a) provides, in relevant part:

Any party may move at any time prior to the issuance of an initial determination on violation of section 337 of the Tariff Act of 1930 to terminate an investigation in whole or in part as to any or all respondents, on the basis of withdrawal of the complaint or certain allegations contained therein, or for good cause other than the grounds listed in paragraph (a)(2) of this section. A motion for termination of an investigation based on withdrawal of the complaint, or for good cause, shall contain a statement that there are no agreements, written or oral, express or implied between the parties concerning the subject matter of the investigation, or if there are any agreements concerning the subject matter of the investigation, all such agreements shall be identified, and if

written, a copy shall be filed with the Commission along with the motion. If the agreement contains confidential business information within the meaning of § 201.6(a) of this chapter, at least one copy of the agreement with such information deleted shall accompany the motion, in addition to a copy of the confidential version. On motion for good cause shown, the administrative law judge may limit service of the agreements to the settling parties and the Commission investigative attorney. The presiding administrative law judge may grant the motion in an initial determination upon such terms and conditions as he deems proper.

19 C.F.R. § 210.21(a)(1).

The pending motion for termination complies with the Commission Rules. The motion was filed in both confidential and public versions, and states “subject to footnote 1 here, there are no other agreements, written or oral, express or implied, between Complainant and Respondents concerning the subject matter of this Investigation.” Mot. at 2-3. The footnote describes certain agreements between the parties and is fully present in WAC’s confidential filing (EDIS Doc. ID 825018) and partially redacted in its revised public filing (EDIS Doc. ID 829360). Pursuant to instruction from my office and Order No. 22, WAC filed a declaration confirming that the footnote captures the entirety of the parties’ agreements. EDIS Doc. ID 828327. Moreover, there are no extraordinary circumstances that warrant denying the motion.

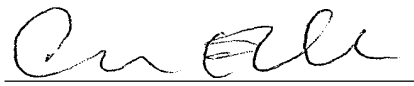
With respect to the public interest, the Commission Rules provide that when considering a motion to terminate based upon a settlement agreement, the Administrative Law Judge “shall consider and make appropriate findings in the initial determination regarding the effect of the proposed settlement on the public health and welfare, competitive conditions in the U.S. economy, the production of like or directly competitive articles in the United States, and U.S. consumers.” 19 C.F.R. § 210.50(b)(2). Although the motion is stylized under Commission Rule

210.21(a) and contains no direct statement on the public interest, it argues “public policy supports termination in order to conserve public and private resources” and “Complainant brings this unopposed motion to conserve the resources of the Commission, the ALJ, and the parties.” Mot. at 2. This argument having been considered, there is no evidence indicating that terminating this investigation based on the settlement agreement would be contrary to the public interest.

Accordingly, the motion to terminate (1374-028) is granted. The investigation is hereby terminated in its entirety. This Initial Determination, the underlying motion to terminate, and declaration appurtenant thereto are certified to the Commission.

Pursuant to 19 C.F.R. § 210.42(h), this Initial Determination shall be the determination of the Commission thirty (30) days after the date of service of the initial determination, unless a party files a petition for review of the Initial Determination within five (5) business days after service of the initial determination pursuant to 19 C.F.R. § 210.43(a), or the Commission, pursuant to 19 C.F.R. § 210.44, orders, on its own motion, a review of the Initial Determination or certain issues herein. Any issue or argument not raised in a petition for review, or response thereto, will be deemed to have been abandoned and may be disregarded by the Commission in reviewing the Initial Determination pursuant to 19 C.F.R. §§ 210.43(b) and (c).

**SO ORDERED.**

  
Cameron Elliot  
Administrative Law Judge